

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KAREN D. NEWPORT,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:06-CV-413
)	(VARLAN/GUYTON)
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton on July 31, 2007 [Doc. 24]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Magistrate Judge Guyton found that the defendant Commissioner's motion for summary judgment [Doc. 21] should be denied, and that plaintiff's motion for summary judgment [Doc. 14] should be granted only to the extent that it seeks remand pursuant to sentence four of 42 U.S.C. § 405(g).

The Court has carefully reviewed this matter, including the underlying pleadings [Docs. 15, 22]. The Court is in agreement with Magistrate Judge Guyton's recommendation which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation whereby defendant Commissioner's Motion

for Summary Judgment [Doc. 21] is **DENIED** and plaintiff's Motion for Summary Judgment [Doc. 14] is **DENIED**, except as to the request for remand for a hearing, which is **GRANTED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan

UNITED STATES DISTRICT JUDGE